

**CITY OF ANGELS  
CITY COUNCIL  
MINUTES**

**Tuesday, February 4, 2014**

Council Members Present: Mayor Elaine Morris, Vice Mayor Jack Lynch, Stuart Raggio, Wes Kulm and Bert Sobon

Staff Present: Michael McHatten, Derek Cole, Dave Myers, Todd Fordahl, Julie McManus, Dave Hanham, and Mary Kelly

**5:30 p.m. CALL TO ORDER**

Chair Morris called the City Council meeting to order at 5:30 p.m. The City Council convened to closed session. Chair Morris reconvened to open session.

**6:00 p.m. REGULAR MEETING**

**PRESENTATION**

Kimberly Arth, Museum Director, reported the Angels Camp Museum has been voted best museum by the Sierra Lodestar. Three counties were included for grand prize – Calaveras, Amador and Tuolumne.

**ACTION TAKEN IN CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**

Paragraph (1) of subdivision (d) of Govt. Code Section 54956.9 Difu, Croletto, Rosato and Turco v. City of Angels Camp, and City of Angels Camp Landscaping and Lighting District #1, Calaveras County Superior Court, Case No.13-cv-39523

Action: Direction given to Counsel

**APPROVAL OF AGENDA**

MOTION by Council Member Sobon, seconded by Council Member Kulm and carried 5-0 APPROVING THE AGENDA AS PRESENTED.

**STAFF UPDATES**

The following questions/comments were raised from information received in the staff consolidated report:

Council Member Kulm asked when the “State of the City” report was to be presented to Council. The City Administrator said he expected to present it in March.

Council Member Kulm commended the Museum Director and the Commission for giving a guided tour of the Museum to WorldMark staff. He said this should be offered to other agencies/businesses in the City to make them aware of the Museum and so make their customers aware.

Council Member Lynch asked if the City’s request that SR4 be designated as a business route be moved along more quickly if Caltrans District 10 or Assemblyman Bigelow were contacted. The City Administrator reported that Caltrans has granted approval and has assigned a Traffic Engineer to work on this. It is in the right hands.

Council Member Lynch the status of the Landscape/Tree ordinance. The Planning Commissioner said it would be reviewed by the Planning Commission at their March meeting and come to Council for approval in April.

Council Member asked if the City has what plans the City had in moving forward in correcting the sprayfield pipe failure. The City Engineer reported that staff is looking at the problem and working on implementing a

solution. He is working with the consultant on what exactly is needed to correct the problem. Mr. Lynch asked that Council be advised of the status with an update provided to monthly.

## **COUNCIL UPDATES**

### **Bert Sobon**

- Attended CCOG sponsored Bike/Pedestrian workshop at Bret Harte. The workshop was not well attended by the public from Angels Camp. The same workshop held in San Andreas was well represented.
- Attended LAFCO – approved the fire protection sphere of influence MSR.
- Attended UWPA as alternate. The appointments to offices/committees were extended through 2014.
- The February LAFCO meeting has been rescheduled to February 24<sup>th</sup>.

### **Wes Kulm**

- Attended DAC Executive Committee Meeting

### **Jack Lynch**

- Attended ACCC and discussed the 4<sup>th</sup> of July celebration and October Gold Rush Day .
- Met with 2 directors from CCWD and UWPA to discuss the effect on water supply. Discussion will continue to the UWPA meeting in February.
- Attended UWPA meeting. Staff updated the new water contract with UPUD and the City. Also discussed the replacement of the UWPA Manager. Vern Pyle is leaving at the end of June.
- Attended Grand Opening of new location for Country Cloth next to Middleton's.

## **PUBLIC COMMENT**

Public comment period was opened at 6:23 pm.

There was no comment from the public in attendance.

## **CONSENT AGENDA**

Council Member Kulm removed item 'b' for discussion.

**MOTION** by Council Member Kulm, seconded by Council Member Lynch and carried 5-0 ADOPTING ITEM 'a' ON THE CONSENT AGENDA:

- a. Approve Minutes of Regular meeting of January 21, 2014

### **Consent Item 'b' – Approval of Partnership Planning Grant Sub-Recipient Agreement between the City of Angels and Calaveras Council of Governments**

Council Member Kulm said he was pleased with the award of the Planning Grant but had concerns of what responsibility Caltrans has in the grant project process. The Planning Director explained that although the agreement is between the CCOG and the City, Caltrans will be instrumental throughout the project process.

**MOTION** by Council Member Kulm, seconded by Council Member Lynch and carried 5-APPROVING THE PARTNERSHIP PLANNING GRANT SUB-RECIPIENT AGREEMENT BETWEEN THE CITY OF ANGELS AND THE CALAVERAS COUNCIL OF GOVERNMENTS.

## **REGULAR AGENDA**

### **1. PUBLIC HEARING CONTINUED FROM JANUARY 7, 2014: ADOPT ORDINANCE NO. 464 APPROVING THE REZONE OF 86 PARCEL AND AMENDING THE ZONING MAP**

This item was continued from the January 7<sup>th</sup> meeting. Council had asked staff to research the General Plan process to see if there were any documented reasons for the inclusion of 3 R-1 parcels to be zoned as Historic. The Planning Director said he looked at past notes and other documents left from the General Plan committee and he found no known reason why this was done. Council Member Raggio said he was steadfast in his belief that these parcels were zoned incorrectly in the General Plan and he would not be supporting the proposed Ordinance.

7:00 p.m. Public Hearing Opened

Mayor Morris asked if there were any members of the public who wished to speak on this item. There being none, the Public Hearing was closed.

7:01 p.m. Public Hearing Closed

The City Attorney explained he could draft a text amendment to the Historic Commercial Zoning District to allow pre-existing residential parcels to be conforming uses under that district. The Council agreed this would resolve the issue.

MOTION by Council Member Kulm, seconded by Council Member Sobon and carried 5-0 ADOPTING ORDINANCE NO. 464. AN ORDINANCE AMENDING SECTION 17-12-020 OF THE CITY OF ANGELS MUNICIPAL CODE. **NOTE: A SEPARATE TEXT AMENDMENT IS TO BE SUBSEQUENTLY ADOPTED TO REFLECT THAT PRE-EXISTING RESIDENTIAL USES (FORMERLY IN THE R-1 ZONE) FOR PARCEL LOTS 5, 9 AND 10 WILL CONSTITUTE CONFIRMING USES IN THE HC ZONE.**

---

**2. DISCUSSION OF THE CITY'S WATER CONSERVATION PLAN**

MOTION by Council Member Lynch, seconded by Council Member Raggio and carried 5-0 DIRECTING STAFF TO AMEND CHAPTER 14.90 OF THE CITY OF ANGELS MUNICIPAL CODE - THE EMERGENCY WATER CONSERVATION PLAN

---

Calendar was reviewed by the City Clerk.

**MEETING WAS ADJOURNED AT 7:50 P.M.**

---

Elaine Morris  
Mayor

ATTEST:

---

Mary Kelly  
City Clerk